

IN THE UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF ILLINOIS

UNITED STATES OF AMERICA, )  
 )  
Plaintiff, )  
 )  
v. ) No. 4:18-cr-40043-JPG  
 ) Benton, Illinois  
KURT F. JOHNSON, )  
 )  
Defendant. )

TRANSCRIPT OF PROCEEDINGS  
BEFORE THE HONORABLE J. PHIL GILBERT  
UNITED STATES DISTRICT JUDGE

SEPTEMBER 14, 2018

**FINAL PRETRIAL CONFERENCE/MOTION HEARING**

APPEARANCES:

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(Recorded by mechanical stenography, produced by computer)

1 (Proceedings began in open court at 10:03 a.m.)

2 \*\*\*\*\*

3 THE CLERK: *United States of America v. Kurt F.*  
4 *Johnson*, case #18-40043. This matter comes before the Court  
5 on a Final Pretrial Conference. Are the parties ready?

6 MR. QUINLEY: The United States is ready, Your Honor,  
7 good morning, appearing this morning by Assistant United  
8 States Attorney Michael Quinley. Present at counsel table  
9 with me, Your Honor, are Forensic Analyst Clinton Bigham of  
10 the FBI, and an intern with the Southern District of Illinois,  
11 Mr. Brian Earl.

12 THE COURT: Let the record show that the Defendant,  
13 Kurt F. Johnson is present *Pro Se*. This matter comes before  
14 this Court on a Final Pretrial. Trial is scheduled for  
15 September 24th. Mr. Johnson, I think this is the first time  
16 you have appeared before me, is that correct?

17 DEFT. JOHNSON: Yes, but I would like to object to  
18 the *Pro Se* --

19 THE COURT: Can you speak into the mic?

20 DEFT. JOHNSON: Yes, I would like to object to the  
21 *Pro Se*, because we are still trying to determine, as far as  
22 I'm concerned, the status of the accused. I haven't been able  
23 to --

24 THE COURT: The status of what?

25 DEFT. JOHNSON: Of the accused. I brought this up at

1 the arraignment, which was the last time that, you know, I was  
2 in this courtroom.

3 THE COURT: The status of the accused. Well, you are  
4 the accused, you are the Defendant in this case.

5 DEFT. JOHNSON: That's a presumption, as far as I'm  
6 concerned.

7 THE COURT: Well, that ship has sailed. So, I guess  
8 one question I'm going to ask you is do you wish -- can you  
9 afford to hire legal counsel? Do you wish the Court to  
10 appoint legal counsel to represent you in this criminal  
11 matter?

12 DEFT. JOHNSON: I'm going to have to say that ship  
13 has sailed.

14 THE COURT: Can you move that mic down closer to his  
15 mouth so I can -- There you go.

16 DEFT. JOHNSON: I'm going to say that ship has  
17 sailed.

18 THE COURT: So, that ship has sailed, too.

19 DEFT. JOHNSON: Yeah.

20 THE COURT: Well, I can call that ship back to the  
21 dock.

22 DEFT. JOHNSON: Okay.

23 THE COURT: Okay. So, do you wish the Court to  
24 appoint legal counsel to represent you, either as standby  
25 counsel, if you want to -- You have the right to appoint

1     yourself *Pro Se*, I can appoint standby counsel to assist you  
2     in things like jury selection, evidence presentation, or I can  
3     -- or I could -- if you wish for legal counsel to be appointed  
4     for you, I will do so.

5             DEFT. JOHNSON: No, thanks.

6             THE COURT: Pardon?

7             DEFT. JOHNSON: No, thank you.

8             THE COURT: No, thank you. Okay. Let me inquire as  
9     to your -- Have you been in court before? I mean, well,  
10    obviously you have, because you are incarcerated.

11            Do you have any kind of legal training at all?

12            DEFT. JOHNSON: No.

13            THE COURT: Why do you want to represent yourself?

14            DEFT. JOHNSON: Well, again, I'll object to that  
15    status, but I don't need an attorney. That's all.

16            THE COURT: You just don't need an attorney?

17            DEFT. JOHNSON: No.

18            THE COURT: Have you been involved in any trials  
19    before as a Defendant?

20            DEFT. JOHNSON: Yes.

21            THE COURT: Were you represented by counsel in those  
22    cases?

23            DEFT. JOHNSON: No.

24            THE COURT: And how many trials have you been  
25    involved in as a Defendant?

1 DEFT. JOHNSON: A half a dozen or so.

2 THE COURT: Half a dozen?

3 DEFT. JOHNSON: Yeah.

4 THE COURT: So, you are at least somewhat familiar  
5 with court procedures, is that correct?

6 DEFT. JOHNSON: That's correct.

7 THE COURT: Have you been involved in a jury trial  
8 before?

9 DEFT. JOHNSON: Yes.

10 THE COURT: Representing yourself?

11 DEFT. JOHNSON: Yes.

12 THE COURT: Okay. So, you know the process of  
13 selecting a jury?

14 DEFT. JOHNSON: Yes.

15 THE COURT: Okay. Well --

16 DEFT. JOHNSON: Again, this was affirmed on appeal.

17 THE COURT: Pardon?

18 DEFT. JOHNSON: I said the competency was affirmed on  
19 appeal, so I think we are all right on that.

20 THE COURT: Okay. What is the level of your  
21 education?

22 DEFT. JOHNSON: 7th grade.

23 THE COURT: Have you had any education programs while  
24 you have been incarcerated?

25 DEFT. JOHNSON: No, thank you.

1 THE COURT: Obviously you can speak the English  
2 language. Can you read and understand the English language?

3 DEFT. JOHNSON: Yes.

4 THE COURT: Are you on any medication?

5 DEFT. JOHNSON: No.

6 THE COURT: You don't take any medication?

7 DEFT. JOHNSON: No.

8 THE COURT: And how old are you now?

9 DEFT. JOHNSON: 55.

10 THE COURT: Okay. And how long have you been  
11 incarcerated?

12 DEFT. JOHNSON: This is my 14th year.

13 THE COURT: Your 14th year?

14 DEFT. JOHNSON: Correct.

15 THE COURT: Okay. All right. Well, the Court's  
16 going to find that the Defendant has waived his -- does not  
17 seek to have legal counsel represent him, that he is competent  
18 to represent himself, he has had experience in courtroom  
19 procedures before and having been involved in jury trials, and  
20 so the Court's going to allow him to represent himself *Pro Se*.

21 We do have several motions pending. There's a motion  
22 to issue subpoenas. First, I quashed many of the first  
23 requests for subpoenas on August 21st. Another batch came in  
24 on August 24th, and then you filed another motion on August  
25 30th that explains why each request on both batches is

1 necessary. And I think with the exception of the subpoena of  
2 your mother, Mr. Johnson, I denied all those subpoenas.

3 I want you to explain to the Court why you need these  
4 subpoenas and what's the purpose of their relevance to the  
5 allegations against you in this indictment.

6 DEFT. JOHNSON: So, it's my understanding that you  
7 denied 18 already.

8 THE COURT: Yes.

9 DEFT. JOHNSON: 18 of the 19?

10 THE COURT: Yes.

11 MR. QUINLEY: Excuse me, Your Honor. We only have a  
12 record of seven, and the quashing of six. We have never seen  
13 any additional subpoenas.

14 THE COURT: There's only seven?

15 LAW CLERK: No, there's more.

16 (Brief interruption in proceedings).

17 THE COURT: There was 19.

18 MR. QUINLEY: We have never been provided with copies  
19 of the additional 12. I don't know if that's because we are  
20 not entitled to them or --

21 THE COURT: They were scanned in. I mean, they were  
22 uploaded to ECF, is that correct, Richard? Go ahead and talk.

23 LAW CLERK: The motion was made on, I believe, August  
24 24, ECF Document 13.

25 MR. QUINLEY: Yes, we saw the motion, but we have

1 never received the subpoenas.

2 LAW CLERK: You have never received copies of those?

3 MR. QUINLEY: No.

4 LAW CLERK: We have paper copies up here.

5 MR. QUINLEY: Thank you.

6 THE COURT: Do you want a minute to look those over,  
7 Mr. Quinley?

8 MR. QUINLEY: Yes, please, Your Honor. And, for the  
9 record, I don't know if these are in a particular order.

10 LAW CLERK: Those are the order in which we received  
11 them. It's just the direct print-off as we received them.

12 MR. QUINLEY: I think some of them are from the first  
13 seven.

14 LAW CLERK: There may be some overlap. I believe  
15 William True overlaps and a few others, but there are some new  
16 ones, as well.

17 MR. QUINLEY: All right. Thank you.

18 Thank you, Your Honor. A number of these are new  
19 subpoenas, and we would -- if the Court wishes to review each  
20 of them with Mr. Johnson, we would be ready to --

21 THE COURT: These are ones I have already -- Are  
22 these ones I already ruled on?

23 LAW CLERK: There's two batches. The first batch  
24 you've already ruled on, and the second batch which Mr.  
25 Quinley now has you have not ruled on.



1           THE COURT: So, it's the second batch that I have not  
2 -- The first batch I have ruled upon?

3           LAW CLERK: Yes.

4           THE COURT: And you understand you have the rulings  
5 on the first batch, Mr. Quinley?

6           MR. QUINLEY: That's correct. They were provided  
7 directly by the Clerk of Court, directly, Kara.

8           THE COURT: The only one I didn't quash was the one  
9 to Mr. Johnson's mother.

10          MR. QUINLEY: We didn't object to the subpoena to his  
11 mother or the things requested that his mother produce under  
12 the 17(c) subpoena in advance of trial, but we raised  
13 objections to the other six and the Court ruled. But, on  
14 these 12, Your Honor, I think they could be addressed with  
15 Mr. Johnson in the context of this hearing, if it pleases the  
16 Court to do it in that fashion.

17          THE COURT: Right; okay. Mr. Johnson, do you wish to  
18 address the second batch of subpoenas that you have requested?

19          DEFT. JOHNSON: Well, I put in another request for  
20 the issuance, when I went over each one, but I think -- Are we  
21 going to go over the first six again?

22          THE COURT: Who's the first one to?

23          DEFT. JOHNSON: Well, I have got in my pleading it's  
24 Elaine Duke, which is -- as the officer for the Department of  
25 Homeland Security, and I believe that she was pertinent to

1 this case, because they provided someone at the World Court  
2 proceedings to represent the Department of Homeland Security.

3 THE COURT: Are you talking about the first batch?

4 DEFT. JOHNSON: Yeah, I guess.

5 THE COURT: Okay. Let me --

6 DEFT. JOHNSON: I'm going off the seven-page request  
7 for subpoenas that I supplied.

8 THE COURT: Okay. All right. I think I've got it  
9 now, Mr. Johnson.

10 DEFT. JOHNSON: Okay.

11 THE COURT: Elaine Duke.

12 DEFT. JOHNSON: Right. And I am using her name  
13 because I think she's the current Director of the Department  
14 of Homeland Security. And the Department of Homeland  
15 Security, to my knowledge, provided somebody at the World  
16 Court proceedings, and the World Court proceedings were  
17 absolutely pertinent to this particular indictment.

18 THE COURT: Why?

19 DEFT. JOHNSON: Because the presumption is that  
20 there's no such judgment and proceedings were proved that  
21 there was a judgment, or at least that there were proceedings,  
22 and so that's absolutely core to the particular accusation.

23 THE COURT: Do we want to address this one at a time,  
24 Mr. Quinley?

25 MR. QUINLEY: Yes, if I may.

1 THE COURT: Yes.

2 MR. QUINLEY: I think there's something fundamental  
3 to what the Government believes should be the basis for the  
4 Court's ruling. Mr. Johnson has filed a number of -- I'll  
5 call them *processes*.

6 THE COURT: Call them what?

7 MR. QUINLEY: He has created instruments by which he  
8 seeks admissions of fact, and on these documents that he's  
9 created he purports that they have gone to a large number of  
10 named individuals and also to John Does.

11 Now, the more recent processes have been to a very  
12 large number of the employees of the Bureau of Prisons, but  
13 earlier he's had a process to this Elaine Duke with the  
14 Department of Homeland Security. And in these, I call them  
15 written processes that he creates, he says that if not  
16 responded to, certain facts are admitted. And he lists out  
17 the facts.

18 Now, these facts are the bases for his claim. And  
19 this is a procedure that he's used in previous efforts  
20 directed to the Court in the Southern District of  
21 California -- or the Central District of California, where he  
22 creates a document that looks like a legal document, and he  
23 sends it out and, of course, these are not responded to, and  
24 he alleges in the document if not responded to within the  
25 latest, or within three days, then everything in it is

1 admitted.

2 THE COURT: Kind of like an admission of facts?

3 MR. QUINLEY: Admission of facts, that's it. He  
4 cites to a rule in the Rules of Civil Procedure.

5 Now, he has in this district -- And he refers  
6 specifically to the two court numbers. There are two cases  
7 that the Court could take judicial notice of that were handled  
8 one by Judge Rosenstengel and one by Judge Reagan. So, they  
9 were opened civil matters. And in one of those two  
10 proceedings that were dismissed in East St. Louis, he refers  
11 to this judgment of the World Court, and he says that it's in  
12 Appendix A, but the only thing in Appendix A is a cause  
13 number, a cause number that he has written onto his Request  
14 for Admissions to all the Bureau of Prisons officials.

15 Just like in the Court in California where he says  
16 his damage was \$7,200,000, now in this instrument that  
17 underlies this current proceeding he says that his damage is  
18 15 billion, plus 2 billion each year that the CMUs remain in  
19 operation in Terre Haute and in Marion.

20 So, he's up to 21 million.

21 THE COURT: Billion.

22 MR. QUINLEY: Excuse me. 21 billion. However, he  
23 has discharged one billion of the \$21 billion debt so he could  
24 find 1099Cs on all these various Bureau of Prisons officials,  
25 because these are all admitted facts. And, in fact, in

1 addition to this initial instrument that he created, he has a  
2 subsequent instrument where again directed, I believe, to  
3 Elaine Duke, that if not responded to, it's admitted that  
4 there's this World Court proceeding, that there's this  
5 judgment, and Ruth Donoghue of the World Court, a Justice of  
6 the World Court entered it, the various dates, that there was  
7 an appeal, that there was a Government representative of the  
8 United States representing the United States in the World  
9 Court. And, Your Honor, I think you can take judicial notice  
10 of the fact that the United States doesn't recognize, let  
11 alone the fact that the International Court of Justice is an  
12 organ created by the United Nations Charter, it sits in the  
13 Hague in the Netherlands. It is an instrument created to  
14 settle disputes between states. Now, this can refer to  
15 treaties between states, and I think this is how Mr. Johnson  
16 has tried to, you know, basically say that they had his case  
17 and decided his case, because he cites to a treaty, a treaty  
18 that the Library of Congress cannot locate or produce. The  
19 Library of Congress, in fact, did respond through an  
20 intermediary to Mr. Johnson's inquiry, but the United States  
21 Supreme Court in 2008 in *Medellin v. Texas* -- and this was a  
22 treaty between the United States and Colombia, or a foreign  
23 state, you know, about counselor rights and about a person has  
24 to be advised of their counselor rights, and there was an  
25 attempt to enforce that treaty obligation of the United States

1 in the International Court of Justice in the Hague, and the  
2 Supreme Court pointed out that since 2005, the President of  
3 the United States has withdrawn United States accession to the  
4 jurisdiction of the United Nations Court of Justice.

5 So, even though it's impossible that -- Well, one,  
6 there's never been any proceeding there. There are just these  
7 instruments where Mr. Johnson believes he has created  
8 admissions of what are, I think the Court will recognize, some  
9 pretty -- I forget what the exact word in the English language  
10 is -- fantastical allegations that Mr. Johnson cloaks with  
11 legal language and with this demand of process and rights, and  
12 I think, Your Honor, in good faith the United States can  
13 attack the position and will take the position with regard to  
14 a number of these subpoenas that they are not being requested  
15 of the Court in good faith and that the Court would have the  
16 authority in its discretion to quash them as we go through  
17 them one by one, particularly with regard to Elaine Duke.

18 And I don't know Mrs. Duke. I know that the current  
19 Secretary of the Department of Homeland Security is Kirstjen  
20 Nielsen, but I think the -- I think given the whole history of  
21 Mr. Johnson's conduct in creating what he then used as a debt  
22 obligation of the warden and the intelligence officer to file  
23 involuntary bankruptcy petitions, which is the reason why we  
24 are here now on a criminal proceeding, I think the Court would  
25 have it within its discretion rather than entertaining that

1 Mr. Johnson is doing this in good faith, that with regard to  
2 some of the particular subpoenas -- and I don't mean to  
3 blanket all of them, but with regard to some of them that they  
4 are not in good faith.

5 Many of the others we have provided the discovery  
6 that has been requested, but we would have to go through that  
7 one by one, because we haven't reviewed these 12. So, I  
8 apologize to not being able to advise the Court better. And I  
9 think if we do take them one by one -- But, starting with the  
10 first one to Elaine Duke, Secretary of Homeland Security, the  
11 Government would oppose that. We believe it's not offered in  
12 good faith, because there's no good faith reason for anyone to  
13 believe that there are any records at the Department of  
14 Homeland Security having anything to do with Mr. Johnson's  
15 self-created allegations.

16 THE COURT: Do you want to respond, Mr. Johnson?

17 DEFT. JOHNSON: Sure. That's quite a yarn, I can  
18 tell you that, but completely factually inaccurate.

19 First off, the processes that he talks about are  
20 governed by international treaty. They are not just some  
21 inmate whipping stuff up in his cell. What he's  
22 mischaracterizing is really a bunch of facts that are  
23 irrelevant to this particular situation.

24 He's mixing Rule 36 admissions and civil procedures  
25 that had nothing to do with this particular transaction. And

1 I'm sure you guys are familiar with Rule 36 admissions. This  
2 process, the administrative procedures, the international --  
3 governed by treaty international procedures, function -- can  
4 function like Rule 36 admissions. They are not governed by  
5 Rule 36, and in this particular situation they had a chance to  
6 answer and they chose not to, and so it did work like a  
7 default admission. But, it wasn't governed by Rule 36, it was  
8 governed by the international treaty. And in that  
9 international treaty, the International Court of Justice or  
10 World Court has original jurisdiction.

11 Elaine C. Duke, I think, is a director, not the  
12 Secretary of the Department of Homeland Security. To my  
13 knowledge there was a proceeding in the courts governed by the  
14 treaty and not by rules, Federal Rules of Civil Procedure,  
15 Rule 36. In that particular proceeding the United States  
16 apparently felt that they were obligated to be present and  
17 sent, I believe, a gentlemen by the name of Andrew Feirstein  
18 to the hearing to represent the Department of Homeland  
19 Security, and he filed a Notice of Abatement and an injunction  
20 to enjoin the enforcement of the judgment until such time as  
21 the abatement hearing was heard.

22 I have given very specific facts in the bankruptcy  
23 proceeding that are very detailed about those hearings and the  
24 events that happened. They are not fanciful, they can be  
25 verified through discovery, and we can get rid of this silly



1 stuff, because it's not -- this is not my fanciful  
2 imagination. And though you are trying -- the Government  
3 wants to force that square peg through a round hole, there are  
4 events outside of myself by competent people. I mean, he's  
5 saying that Judge Donoghue doesn't even exist.

6 MR. QUINLEY: I made no such allegations. She does  
7 exist.

8 DEFT. JOHNSON: You said she's an invention in  
9 your --

10 MR. QUINLEY: The proceeding is an invention.

11 DEFT. JOHNSON: So, and the proceeding is not an  
12 invention and I will have witnesses to speak to that. But,  
13 certainly the -- it could be found out very quickly with Ms.  
14 Duke if she sent Andrew Feirstein or any other person to that  
15 hearing that a proceeding happened, and so it's very pertinent  
16 to and speaks directly to the accusation that there are no  
17 such proceedings.

18 MR. QUINLEY: Your Honor, if I may add just one small  
19 thing.

20 THE COURT: Hold on. Don't interrupt him.

21 MR. QUINLEY: I didn't mean to interrupt.

22 THE COURT: Don't interrupt. Go ahead, finish.

23 DEFT. JOHNSON: So, you know, if there is a real  
24 proceeding then this accusation is B.S., if I can put it that  
25 way. So, you know, certainly -- And he's gone to the Grand

1 Jury already on this particular premise, and so it's very  
2 direct to the accusation itself that if there's a proceeding,  
3 then, whether it's governed by the treaty, whether the  
4 obligations are governed by the citation he gave -- I don't  
5 believe they are -- but those are completely different  
6 situations as to guilt and innocence.

7 THE COURT: Mr. Quinley?

8 MR. QUINLEY: Your Honor, I don't know whether  
9 Mr. Johnson received the response or not, but he, through  
10 intermediaries, just like he had filed a subpoena for the  
11 Library of Congress, he had been asking intermediaries to get  
12 the Library of Congress to produce a copy of the treaty that  
13 he refers to, and one of his intermediaries was successful.  
14 The Reverend Rudy Johnson was successful, and the Library of  
15 Congress responded. And they did a detailed search not just  
16 in the Library of Congress, but they cited to all the sources  
17 where treaties in force are listed going back to all the years  
18 referred to by Mr. Johnson, including 1972, and they very  
19 politely and very thoroughly responded that they could locate  
20 no such treaty.

21 Now, I don't know whether Mr. Johnson has actually  
22 received that response. It was posted in a YouTube video by  
23 his intermediary, his friend, who had done this inquiry for  
24 him, but I don't know if Mr. Johnson has been able to see that  
25 or has received the response from the Library of Congress.

1 That was the only thing I was going to interject, is that even  
2 the treaty itself is an invention, it doesn't exist.

3 THE COURT: Mr. Johnson, did you receive the  
4 information back from the Library of Congress?

5 DEFT. JOHNSON: I have not. I don't know if this  
6 Court is familiar with the type of prison that I am in. It's  
7 not a normal prison. I'm in a special unit.

8 THE COURT: Control Management Unit.

9 DEFT. JOHNSON: Yeah, we will call it the terrorist  
10 unit. But, very limited communication. They have complete  
11 access to conceal, steal legal work. There's -- It's -- I'll  
12 call it a censorship unit. And under those particular  
13 situations it's very difficult for me to obtain the  
14 information that I need. And if you want to say due  
15 diligence, I say it's impossible from the location that I am  
16 at without outside help.

17 The treaty that I am asking for from the Library of  
18 Congress is to the best of my recollection. But, based on  
19 that information and my recollection, a friend of mine or  
20 intermediary was able to obtain a copy of that judgment from  
21 Senator Cory Booker. I mean, not judgment, but treaty from  
22 Senator Cory Booker. It was mailed in and Ms. Hill refused to  
23 deliver it. So, some treaty exists, obviously, that was  
24 relevant to the facts that I provided that Senator Corey  
25 Booker mailed in and was not delivered.

1           So, these are details that can come out in trial, of  
2     course, but we are not dealing just with imagination. It's  
3     fanciful on his part, but there is a treaty that regulated the  
4     administrative procedures. They were outlined in that.

5           You guys are familiar with Title V which regulates,  
6     you know, our administrative procedures, which is a copy of  
7     the international one, so the law is relevant. That's why I  
8     subpoenaed the Library of Congress. The law that I relied on,  
9     the law that governed the procedures that Elaine Duke sent  
10    somebody to. And, so, fanciful or imaginary is an accusation,  
11    it's not a fact. And I've presented -- In bankruptcy  
12    proceedings I presented all these facts, and so they are  
13    certainly relevant to a fraudulent claim out of bankruptcy.  
14    And what happened in the bankruptcy is they didn't provide --  
15    allow me to have the discovery that I am seeking here, for  
16    whatever reason. But, you want to take it to a case of guilt  
17    or innocence and fraudulent claims, well then I certainly need  
18    this kind of information to defend against the accusation of  
19    fraud.

20           You know, if there's a proceeding that happened in  
21    front of Judge Joan E. Donoghue on January 14th of 2016, where  
22    an abatement was presented by the Department of Homeland  
23    Security with an injunction and a hearing set on February 19th  
24    and then recalled on February 11th, because of the bad faith  
25    of the Government, which seems to be continuing, and then a

1 final judgment was entered. Then they filed an appeal which  
2 was affirmed on 9/28/2016. So, where are these facts coming  
3 from? Are they just delusions of myself or are they something  
4 that can be verified by evidence?

5 And I am saying I can't do due diligence from my  
6 location, but I could do it with the power of the subpoenas.  
7 And these facts would come in and this whole case would  
8 implode, because it's not -- it speaks directly to my intent,  
9 which is part of the elements of this offense, okay? You have  
10 the fraudulent claims of the documents filed, all right, and  
11 science, sir, is an element.

12 THE COURT: Let me stop you there.

13 Mr. Quinley, explain to the Court, because, again,  
14 this is now coming to the Court on Final Pretrial, trial is  
15 scheduled, the allegations and the scheme to defraud contained  
16 in the indictment.

17 MR. QUINLEY: Yes, Your Honor. Basically the  
18 material falsehood is the claim that there's \$20 billion  
19 indebtedness on the person of William True, the Warden for the  
20 prison. So, that's two of the counts, is that that's the  
21 falsehood, is that there's a \$20 billion judgment against  
22 them, and, of course, in the bankruptcy proceeding the Warden  
23 testified that there's no such judgment, and he did bring to  
24 the attention of the FBI that following the filing of this  
25 involuntary bankruptcy against him he's received mailings from

1 businesses that help people in bankruptcy. So, of course,  
2 he's concerned about the impact of this upon his credit  
3 history. And, the exact same thing with Kathy Hill, the  
4 intelligence officer.

5 So, the Defendant here creates a document in which he  
6 says that if all these facts are admitted he's entitled --  
7 it's actually by his calculation \$21 billion. He has  
8 voluntarily discharged one billion. So, he files involuntary  
9 bankruptcy saying the warden owes him 20 billion, because it  
10 was joint and several with all the people in the Bureau of  
11 Prisons named and even persons unnamed, but John Does. And,  
12 in fact, Warden True is one of those John Does, because he's  
13 not even named in this instrument created by the Defendant.  
14 We have a copy of it unsigned, unexecuted, not filed anywhere  
15 that is the origin of this claim that somehow it's turned into  
16 a legally enforceable judgment through some process that never  
17 occurs at all, again, except in the imagination of  
18 Mr. Johnson.

19 So, the allegation -- And, frankly, the Government's  
20 position is, one, the Warden and Ms. Hill deny any such  
21 obligation or any such judgment against them and, frankly,  
22 Your Honor, on its face the claim that Bureau of Prisons  
23 officials owe Mr. Johnson \$20 billion because he objects to  
24 the processes in the CMU is absurd.

25 DEFT. JOHNSON: You bet.

1 MR. QUINLEY: Yes, it's absurd. And he may think  
2 that he has a legal defense that he believes his own absurdity  
3 and, therefore, can't be convicted of any crime, but I think  
4 if it's put to a jury, a jury might determine otherwise.

5 THE COURT: Okay. Mr. Johnson?

6 DEFT. JOHNSON: Okay, Your Honor. If the record is  
7 clear, because this is not -- there's plenty of proceedings  
8 leading up to this particular case. There was a habeas corpus  
9 filed in regards to that judgment where he may have obtained a  
10 copy --

11 THE COURT: Which judgment are you talking about?

12 DEFT. JOHNSON: The judgment that I believe was  
13 obtained from the International Court of Justice, okay?

14 THE COURT: Who was that judgment in favor of?

15 DEFT. JOHNSON: It was in favor of Executor Kurt  
16 Johnson.

17 THE COURT: Pardon?

18 DEFT. JOHNSON: It was in favor of Executor Kurt  
19 Johnson.

20 THE COURT: Okay. Do you have a copy of that  
21 judgment?

22 DEFT. JOHNSON: No, and I would like to get a copy of  
23 it, because it does exist. I am being precluded from getting  
24 a copy of it by the Government's enforcement and activities  
25 even through Hill and True. So, but I believe it's obtainable

1 by subpoena. In the records that are going to absolutely be a  
2 part of this case, the actions that were taken against True  
3 and Hill were not even done until after the judgment  
4 supposedly, you know, existed. So, the idea that the judgment  
5 was enforceable by my own imagination is just his fanciful  
6 thinking, and that kind of fancy concerns me, quite frankly.  
7 But, the dates that were provided was very specific: There  
8 was a hearing on January 14, 2016, in front of Judge Joan E.  
9 Donoghue. That's very specific. That's not delusional.

10 THE COURT: Where is he a Judge from?

11 DEFT. JOHNSON: She's a Judge from the International  
12 Court of Justice.

13 THE COURT: Okay.

14 DEFT. JOHNSON: And she's a New York citizen, she is  
15 -- I sent a bio to you. She's quite prolific in her  
16 international law background. She was a counselor to  
17 Secretary of State Clinton and also to President Obama. She's  
18 worked for the Government for 20 years specializing in  
19 international law. I'm sure she's quite competent in her  
20 affairs. But, you know, there's 15 judges on that particular  
21 court. I am naming the specific Judge, I'm naming a specific  
22 day, I am naming the specific instrument, I am providing a  
23 case number. If this is all my imagination, it's really  
24 bizarre and, quite frankly, I'm sure you are confident  
25 enough --



1 THE COURT: What date was this judgment entered?

2 DEFT. JOHNSON: 1/14/16.

3 THE COURT: Were you incarcerated at that time?

4 DEFT. JOHNSON: Yes.

5 THE COURT: Were you representing in the World Court  
6 at that time?

7 DEFT. JOHNSON: There were attorneys involved. I had  
8 mediators that I am not allowed to talk to and I am cut off  
9 from my entire family. I can't communicate with anybody  
10 pretty much in the outside world that's relevant to my life  
11 because of the facility.

12 THE COURT: Does your mother have a copy of this  
13 judgment?

14 DEFT. JOHNSON: Does my mother?

15 THE COURT: Yeah.

16 DEFT. JOHNSON: No, she was -- I was trying to get it  
17 to her, but they cut me off and I can't even talk to my  
18 mother. I can't write her, she can't write me. There's no  
19 communication with my family. I can't even do any due  
20 diligence. But, these are not -- These are not fanciful  
21 facts. Where am I getting the names Andrew Feirstein? Where  
22 am I getting the names of Judge Donoghue? I have got the  
23 dates of 1/14, 2/11, 2/19, 9/28. These are all events that  
24 are verifiable factually. And if they are factual, then I'm  
25 not delusional. And you should be confident enough right now

1 to figure out I'm not delusional. I'm competent in the  
2 language and I'm quite aware of my surroundings and what's  
3 being talked about.

4 So, it's a great idea, but these things speak  
5 directly. That's why I was really concerned about, quite  
6 frankly, your denial, because there's a lot more to this case  
7 than just, you know, vain imaginations and accusations of that  
8 on both sides. There's a lot of facts that are very specific.  
9 And if they are false, they are false; if they are true, they  
10 are true.

11 And the whole purpose, I thought, of discovery was to  
12 get to the facts so that at trial it could go forward with  
13 truth. And, you know, if that's the case, then these speak  
14 directly. Certainly if the Department of Homeland Security  
15 sent somebody there to represent and they have an e-mail,  
16 even, if they have a document, if they have the documents they  
17 provided, you know, if they have a copy of the notice of  
18 abatement or, excuse me, the Motion for Abatement, which would  
19 have been appropriate at that particular time, and their  
20 injunction, then what are we talking about? My vain  
21 imaginations are gone.

22 MR. QUINLEY: Your Honor, if I may read into the  
23 record a document of Mr. Johnson's that he filed with a Court  
24 in this district, in the proceeding where he attached as  
25 Exhibit A the judgment, this is what he filed with Exhibit A

1 where he does have the cause number; cause number that is  
2 handwritten on the copy of the instrument that he created  
3 which he says is a default or -- or by these processes is now  
4 an enforceable default.

5 "Petitioner supplies this notice of obstruction in  
6 place of the intended Exhibit A, which was to be a copy of the  
7 World Court judgment." And it's a very long number, so I  
8 won't read the number into the record. But, he is consistent  
9 with it.

10 "Respondent, along with all his coconspirators, have  
11 used their office in illegal operation of the CTU -- CMU unit  
12 to prevent Petitioner from obtaining a copy of this judgment.  
13 The intended benefit of having it filed with this petition for  
14 easy viewing of the Court and all intended parties has now  
15 spent many times over with this 18-month delay caused by their  
16 destruction; therefore, any and all relevant parties and the  
17 Court are free to obtain a copy from the World Court in New  
18 York or the Netherlands as a public record."

19 And, Your Honor, on that representation, if the  
20 people who assist this Court cannot obtain this public record,  
21 then I think the Court will have all the information it  
22 needs -- and I don't think it needs any, really, but to  
23 evaluate whether or not Mr. Johnson is proceeding in good  
24 faith.

25 THE COURT: Does this judgment that Mr. Johnson says

1 exists exist?

2 MR. QUINLEY: No, it does not. There is no process,  
3 there is no proceeding.

4 THE COURT: Has the Government inquired as to the  
5 World Court as to whether this judgment exists?

6 MR. QUINLEY: There's nowhere to inquire from. Every  
7 detail that Mr. Johnson cites from memory are details that he  
8 has created in written instruments, which he has then styled  
9 as admissions of fact. So, the very process he recited for  
10 the Court by rote with all the dates, and he was accurate in  
11 every one of them, are from his separate instruments from the  
12 original creation of this where he now recites eight facts  
13 that he requires Elaine Duke to admit if she does not answer  
14 to the eight facts, the fact of World Court, the fact of Judge  
15 Donoghue, the fact of the hearing.

16 And, of course, Your Honor, I think the Court can  
17 take judicial notice about this claim that the Government  
18 asked for abatement and an injunction of this instrument that  
19 somehow is filed through some unknown process with the Court  
20 that because of the bad faith of the Government Judge Donoghue  
21 recalls the hearing, doesn't hold the hearing and makes his  
22 instrument a final judgment, and then that's approved on  
23 appeal.

24 One, I don't know what the appeal process is, either,  
25 from the 15-Judge International Court of Justice sitting in

1 the Hague, and, as I say, from the Supreme Court of the United  
2 States there's no jurisdiction of that court and there are no  
3 private remedies for citizens of any country anywhere in the  
4 world. And I'm sorry Mr. Johnson never got the response from  
5 the Library of Congress that the treaty he cites to does not  
6 exist, and we will provide him with what the response was to  
7 the Reverend Randy -- Rudy Davis that Rudy Davis posted on  
8 YouTube on behalf of the Defendant.

9 THE COURT: Why don't you provide that response to  
10 him.

11 Go ahead, Mr. Johnson.

12 DEFT. JOHNSON: We are getting -- Again, I would like  
13 to keep things separate. The admissions that I sent to Elaine  
14 Duke that he keeps referencing, okay, were Rule 36 admissions  
15 in a civil procedure, okay? That's completely different than  
16 the processes he keeps talking about in the International  
17 Court, okay? The chances of me obtaining this judgment in  
18 this particular --

19 THE COURT: What was the judgment for?

20 DEFT. JOHNSON: The judgment was -- Actually, why  
21 don't I just take a minute to get you up to the procedures  
22 that he calls processes.

23 THE COURT: Answer my question first. What was the  
24 judgment for?

25 DEFT. JOHNSON: The judgment was for -- It was a

1 administrative default judgment obtained at the end of  
2 administrative procedures, okay, and the procedures are  
3 governed by the treaty where you start out with an  
4 international demand, then if it's not answered you put a  
5 Notice of Fault, if that's not answered then you can go to a  
6 notice of -- you go to a Notice of Dishonor -- excuse me,  
7 dishonor second, and Notice of Fault, and then the fourth  
8 process would be a judgment. The judgment -- All four of  
9 those documents, it's true, are created by the person  
10 that's -- In this particular case I created all four of those  
11 documents. But, the procedures are very precise. They have  
12 to go to an international administrative hearing officer. To  
13 my knowledge that was a gentleman named Jonathan Helmsford.  
14 And Jonathan Helmsford accepted and looked at the treaty for  
15 compliance with the documents, and then he presented them to  
16 the World Court, in this particular case Joan Donoghue. And  
17 Joan Donoghue, based on the compliance with the treaty and the  
18 motions put forward by the Department of Homeland Security,  
19 put out a nine-question questionnaire to the Government and  
20 all the respondents that are listed, and she received such  
21 dishonor from the nine-question questionnaire that she  
22 created -- I didn't create, it wasn't a figment of my  
23 imagination -- and that is what the dishonor was that caused  
24 her to retract her hearing dates and make the judgment final  
25 eight days before the hearing.

1 THE COURT: Okay.

2 DEFT. JOHNSON: And these facts, again, are -- You  
3 know, if the Government can't seem to find the judgment, you  
4 are asking a lot of me if I can't do it through subpoena to do  
5 it through due diligence. That's just not going to be  
6 possible.

7 THE COURT: Okay.

8 DEFT. JOHNSON: And I have had quite a bit of  
9 difficulties doing anything with this particular case.

10 The processes that he's talking about in California,  
11 I have done private administrative processes most of my life,  
12 okay? That's very different than the one that I am talking  
13 about here. Those are governed under Title V, okay? This is  
14 governed under international treaty where the Court has its  
15 own original jurisdiction in regards guaranteed by that  
16 treaty. So, the law itself as to the Library of Congress  
17 would be completely irrelevant, obviously.

18 THE COURT: What about the -- There's subpoenas of  
19 International Court of Justice, Michael Puckett.

20 DEFT. JOHNSON: Right.

21 THE COURT: Sheriff Rich Stevenson, FBI Agent  
22 Jeschke.

23 DEFT. JOHNSON: The International Court of Justice,  
24 obviously Judge Donoghue could speak to this situation very  
25 quickly. If there are documents created, I mean, she created

1 the nine-question questionnaire that I am claiming that she  
2 did, then that's certainly enough right there to show that  
3 there was processes and that she felt she had jurisdiction  
4 over the particular subject matter. And these things are  
5 really absolutely central to this entire claim.

6 So, you know, that would be crucial.

7 Michael Puckett, I was informed, actually has a copy  
8 of the judgment. Whether these guys have it or don't have it,  
9 whether that's a true fact or not, I can't be certain until I  
10 subpoena.

11 THE COURT: Who is Michael Puckett?

12 DEFT. JOHNSON: Michael Puckett is a Disciplinary  
13 Hearing Officer for the Central Region in the Federal Bureau  
14 of Prisons.

15 THE COURT: How do you know he has a copy of the  
16 judgment?

17 DEFT. JOHNSON: There was a hearing in late June  
18 where he came in and did a disciplinary hearing with Stephen  
19 Sherak. And Stephen Sherak was another inmate that had helped  
20 me through his family to get some of these things done on the  
21 outside. And Mr. Puckett claimed to have as part of his  
22 evidence in support of the disciplinary hearing a copy of the  
23 judgment that he received from what sounded like a David  
24 Schleger (ph) from the Department of Homeland Security, and  
25 that Mr. Schleger had told him, "I know how to get around that



1 judgment." And I heard that -- I was standing outside the  
2 office, I heard it, but it was also reported to me by Stephen  
3 Sherak.

4 So, I don't know if he's got the unexecuted copy or  
5 he has an executed copy. I don't know.

6 THE COURT: Let me stop you there. Do you know  
7 anything about this Michael Puckett, Mr. Quinley?

8 MR. QUINLEY: We know all about Stephen Sherak who  
9 had seized amongst his property when he was being released a  
10 list of 30 Bureau of Prisons officials that this Defendant  
11 wished to have involuntary bankruptcies filed on. There was  
12 also a letter to his father in which he expressed that once  
13 these were filed that all hell would break loose and he  
14 expressed the belief that Washington wouldn't want to deal  
15 with him and he would be released. "If all goes well, I could  
16 be out by February, God knows."

17 And, Warden True, maybe, wasn't the warden by that  
18 time, because he wasn't amongst the 30; Kathy Hill was. And,  
19 Your Honor, there are no records from the Bureau of Prisons of  
20 any such instrument except, again -- And, again, this is  
21 because of correspondence where the Defendant, before he was a  
22 Defendant in this matter, where he sent it either to his wife  
23 of promise, Deborah, or to his mother or to his father, so we  
24 have copies of this instrument that he created, handwritten on  
25 the top is this case number, unsigned, unexecuted, and, as far

1 as anyone can tell, not filed anywhere by anyone.

2 And you asked the Defendant what the basis was for  
3 the \$20 billion or \$21 billion. The basis is the oppressive  
4 condition of being confined in the CMU. So, it's a global  
5 joint and several judgment against all the Bureau of Prisons.  
6 It increases every year by 2 billion as long as the Terre  
7 Haute CMU and the Marion CMU remain in operation. So, that's  
8 what the basis is for the 20 billion or the 21 billion,  
9 reduced by one.

10 But I think the letter that was taken from Mr. Sherak  
11 addressed to the Defendant's father illustrates that he knows  
12 exactly what he was doing. He's a very clever individual, and  
13 his hope is that he becomes so difficult to manage --

14 THE COURT: Where is Stephen Sherak now?

15 MR. QUINLEY: He'll get out. He's out, he's at  
16 liberty. He was released.

17 THE COURT: Go ahead.

18 DEFT. JOHNSON: Okay. Well, you know, it's funny to  
19 me that they are this familiar with Stephen Sherak, and that's  
20 another person that's, you know, necessary to subpoena,  
21 because his efforts to assist me, obviously you can see, are  
22 central to this case. They plan to introduce evidence  
23 themselves about documents seized from his person. And he's  
24 central and yet there was no 302s for him by the FBI. This is  
25 the kind of obstruction that I am up against. You know, call

1 the Court. If Joan Donoghue says I'm full of crap, I'm full  
2 of crap, simple as that. But, don't call Stephen Sherak or  
3 Faith Sherak or any of your discovery, because you don't want  
4 to know any of the facts. You are really happy parading out  
5 this propaganda that this is all my delusion, and, you know, I  
6 know what a delusion is, but a delusion is not shared with  
7 lots of other people. You can look it up in psychology.  
8 Delusions are not shared and they don't have all these outside  
9 facts and they don't stay constant over the years. It's  
10 been -- Just a habeas alone took me 18 months to get filed.  
11 And the reason it wasn't with a certified copy of the  
12 judgment, which Mr. Sherak was going to provide for me when he  
13 got out, is because they threatened him and put him back in  
14 jail. And these are facts that are going to come out in the  
15 case.

16 But, you know, you can't continue to block and block  
17 and block and block and say it doesn't exist, and when I try  
18 to get it, which is relative to the defense --

19 THE COURT: So, you want Mr. Sherak to testify on  
20 your behalf?

21 DEFT. JOHNSON: He's definitely going to testify.

22 THE COURT: Do you know where he is?

23 MR. QUINLEY: I believe in New York.

24 AGENT BIGHAM: New Jersey.

25 MR. QUINLEY: New Jersey. By the way, Your Honor,

1 he's not cooperating. Correct?

2 AGENT BIGHAM: We have not approached him, but he's  
3 -- he's never been able to find the judgment. He is  
4 currently -- He defrauded his mother out of some money and  
5 from his correspondence was no longer cooperating with the  
6 Defendant. And so, you know, we have not reached out to him.  
7 In reading all of his correspondence, he's never been able to  
8 provide the judgment or the order that he's needing. No one  
9 in his family has. None of his outside people, his father,  
10 mother, the Sherak, can provide his judgment. That's what  
11 he's wanting from them.

12 DEFT. JOHNSON: That's a good point he brings up  
13 here, because he hasn't reached out to Mr. Sherak, and Sherak  
14 probably doesn't want to reach out to them because he's been  
15 threatened and bullied and very concerned about assisting me  
16 at the expense of going back to prison just because of the  
17 particular judgment.

18 And to add some facts, in order to try to alleviate  
19 some of that threat, I was informed by Mr. Sherak that the  
20 judgment was modified on February 8, 2018 to redact the name  
21 of him and him and his family from the judgment and from all  
22 the court proceedings of the International Court. That's how  
23 scared he is of the threat of the Government.

24 THE COURT: You have confused me now. I thought you  
25 got the judgment. Sherak didn't get the judgment.

1           DEFT. JOHNSON: I understand, and I'm sorry for the  
2 confusion. I'm just giving you facts.

3           The handling of the transactions are not done by me  
4 in prison. It's not possible, okay? Mr. Sherak was a  
5 mediator in helping me with some of his contacts and people to  
6 take these procedures to the International Court.

7           This is information that they already possess, they  
8 know about Mr. Sherak. They know about his position on the  
9 threats, they know about why he didn't file --

10          THE COURT: So, you want him to come testify on your  
11 behalf?

12          DEFT. JOHNSON: Sure.

13          THE COURT: What do you expect him to testify about?

14          DEFT. JOHNSON: I expect him to testify, one, that  
15 there is a judgment; two, that he's been threatened to prevent  
16 -- threatened in such a way that he did not feel comfortable  
17 providing the judgment or getting the judgment to me.

18          And just to give you a little historical fact, I  
19 wrote a habeas in this particular district -- I wrote a habeas  
20 procedure based on the judgment, okay? The judgment was to be  
21 filed as an exhibit, Exhibit A, in regards to that, and that  
22 was in front of Mr. Herndon, okay? That was not filed by me,  
23 okay? That was Mr. Sherak, when he got out was going to file  
24 that on my behalf and attach the judgment which he had in his  
25 possession at the time, okay? That was my understanding.

1 Then it was filed without the judgment. And what I would call  
2 an abstract of judgment was provided, but not a certified one  
3 from the Court, something that I believe Mr. Sherak produced  
4 himself.

5 So, you have him being able to speak directly to why  
6 wasn't the judgment filed directly as an exhibit to my desire,  
7 and he will respond he was threatened, he will respond to, you  
8 know, all the reasons why he had to get the judgment reissued  
9 with redactions. His sister was involved, his mother was  
10 involved, there were lawyers involved, and there was expenses  
11 that, you know, were provided, and so and so on. So, it's  
12 certainly not my delusion.

13 THE COURT: Okay. What about some of these other  
14 people you want to -- You have this Sheriff Rich Stevenson,  
15 FBI Agent Jeschke.

16 DEFT. JOHNSON: Yes.

17 THE COURT: Elliot Weisner and California Secretary  
18 of State, Florida Motor Vehicle, New Jersey Vital records.

19 DEFT. JOHNSON: Let me start with Mr. Stevens and  
20 Jeschke. The prosecution, I believe, made these moot, because  
21 they provided me these documents. My concern about that  
22 provision of documents, though, is that what Agent Jeschke  
23 provided me, I'm assuming he provided me through, did not have  
24 a copy of the judgment, and both Faith and Stephen Sherak will  
25 testify they mailed a copy of the certified judgment to FBI

1 Agent Steven Jeschke.

2 So, I am concerned there. Somebody is lying. If  
3 Agent Jeschke actually did receive the judgment, I didn't  
4 receive it in discovery, and so I think that part of the  
5 subpoena being quashed was to avoid any conflicts with this  
6 Court for contempt by not providing it if Mr. -- Agent Jeschke  
7 actually has a copy of the judgment. Mr. Sherak and Faith  
8 Sherak will testify that a certified copy of the judgment was  
9 provided to Ms. Hill.

10 THE COURT: Who is Faith Sherak?

11 DEFT. JOHNSON: Stephen's mother.

12 THE COURT: Okay.

13 DEFT. JOHNSON: Will testify that they provided a  
14 certified copy of the judgment, which I have never seen,  
15 okay -- I'm making clear I have never seen -- that they  
16 provided one to Kathy Hill and they provided one to Agent --  
17 FBI Agent Jeschke. Are they lying to me? Well, they can come  
18 in here and lie to the Court. But, to my knowledge that's the  
19 fact why I asked for those things.

20 THE COURT: Okay.

21 DEFT. JOHNSON: Mr. Jeschke provided the files. And  
22 just to give you a little background, Stephen Sherak was being  
23 released in November of 2017. He had some of my documents and  
24 was going to assist me, which is what the prosecutor here is  
25 referencing about doing bankruptcies and filing my habeas and

1 these types of things. Ms. Hill confiscated all of that and  
2 they kept Mr. Sherak in jail for another seven months, and he  
3 was released in July of 2017, okay? So, he's completely  
4 entrenched into these particular issues about the bankruptcy,  
5 he's central to the defense. And the other documents, or the  
6 other thing I was provided from Rich Stevenson was all the  
7 recorded phone calls while he was in county jail, and 12 of  
8 those were to Stephen Sherak, and on those recordings he will  
9 either -- he will have to address the things he said, because  
10 some of the things he said I am telling you about the threats  
11 and the judgment, how they were issued, so on.

12 THE COURT: Let's get beyond Stephen and Faith  
13 Sherak.

14 DEFT. JOHNSON: I'm just letting you know that that  
15 was for Richard Stevenson.

16 THE COURT: Richard Stevenson.

17 DEFT. JOHNSON: So, I received all those phone calls.

18 THE COURT: If Stephen Sherak appears to testify, he  
19 can testify to all that stuff.

20 DEFT. JOHNSON: I understand.

21 THE COURT: So, we don't need Rich Stevenson.

22 DEFT. JOHNSON: No, I received those. I'm letting  
23 you know they were made moot.

24 THE COURT: All right.

25 DEFT. JOHNSON: Mr. Weisner was an attorney, to my



1 knowledge, that did the due diligence on the procedures.

2 THE COURT: Who was he? Who hired him?

3 DEFT. JOHNSON: Jackie Sherak, or Jacqueline Sherak,  
4 which is Faith's daughter and Stephen's sister.

5 THE COURT: Okay.

6 DEFT. JOHNSON: Okay. And he did the due diligence,  
7 and based on information I had he has some of the documents,  
8 including those that were signed by Andrew Feirstein, though  
9 he may not have a copy of the judgment itself.

10 THE COURT: Okay.

11 DEFT. JOHNSON: So, he would be relevant as to, one,  
12 the treaty; he would be relevant as to the processes, the  
13 administrative hearing officers, attorneys that represented  
14 the executor at the proceedings, that the proceedings actually  
15 took place, that he has some documents that prove that the  
16 proceedings actually took place, and these are far --

17 THE COURT: Who's the executor?

18 DEFT. JOHNSON: Kurt Johnson.

19 THE COURT: Who?

20 DEFT. JOHNSON: Kurt Johnson; Executor Kurt Johnson.

21 THE COURT: You?

22 DEFT. JOHNSON: Yeah.

23 THE COURT: Okay. You are the executor?

24 DEFT. JOHNSON: Yes.

25 THE COURT: Okay.

1           DEFT. JOHNSON: So, he could be really relevant as to  
2 a defense against the delusional claim. As far as California  
3 Secretary of State and all these -- I would have used all of  
4 that information to speak towards the status of the accused,  
5 but you said that ship has already sailed and so I would still  
6 like to obtain those, because I'm going to -- you know, I'm  
7 objecting to the presumption, and that would be evidence  
8 related to that presumption. But, that's up to you.

9           Then Deutsche Bank made an offer of just about 75 to  
10 80 percent for this particular judgment that doesn't exist.  
11 They opened up an escrow, deposited \$700,070,000. This is all  
12 through Jackie Sherak, who is a banker. They deposited  
13 \$700,070,000. They were getting ready to completely fund and  
14 purchase this particular judgment.

15           THE COURT: How do you know that?

16           DEFT. JOHNSON: I got this information through  
17 Stephen Sherak and --

18           THE COURT: So, Stephen Sherak will be able to  
19 testify to that?

20           DEFT. JOHNSON: Yes. And they were going to pay the  
21 rest. But, Deutsche Bank got in a little financial trouble a  
22 few years back and they had to withdraw. So, getting any of  
23 those escrow documents would obviously prove the due diligence  
24 of a bank will not drop \$700,070,000 to an account by a bogus  
25 paper made by an inmate in a secret unit. So, that's one of

1 the reasons that I think they are completely relevant. The  
2 bank is available in New York and, therefore, is, you know,  
3 within the jurisdiction of this court.

4 The escrow officer, I believe, was a gentleman named  
5 Heiko Lotz. And so I have given as much detail in these  
6 subpoenas I can to make it very specific for these people to  
7 provide the information that I need to prove that a judgment  
8 exists. Obviously, you know, the deduction -- even if the  
9 judgment doesn't exist, but the deduction would be that if a  
10 bank offers, you know, \$14 billion for a judgment that it's  
11 not fake. So --

12 THE COURT: Who's Angela Clemmons?

13 DEFT. JOHNSON: Angela Clemmons is a lady that dealt  
14 with Stephen Sherak once he got out, and I believe there's  
15 some communications that she had directly with him and, you  
16 know, I'll probably need --

17 THE COURT: Wouldn't that be hearsay? If Stephen  
18 Sherak testifies, why do you need her?

19 DEFT. JOHNSON: Basically the reason being is because  
20 it will be -- it will provide some timelines and some  
21 different communications that I'll need to properly understand  
22 his testimony or be able to communicate. Because I wasn't  
23 out. I'm in what they call incognito. I had no communication  
24 with Mr. Sherak, very limited once he got out. And, so, you  
25 know, Angela Clemmons had some information that I think would

1 be pertinent and relevant to me dealing with Mr. Sherak.

2 THE COURT: Would Mr. Sherak be able to testify as to  
3 that same information?

4 DEFT. JOHNSON: No, I don't think so.

5 THE COURT: Hold it a second. If A talks to B and A  
6 tells B something that B testifies, B can testify as to the  
7 timeline, as to everything, you know, so I don't understand  
8 why you need --

9 DEFT. JOHNSON: Okay. Let me see if I can address  
10 it.

11 THE COURT: It seems to me most of hers would just be  
12 hearsay.

13 DEFT. JOHNSON: I'm not trying to get her to testify  
14 as to what she knows, okay? I'm just trying to get some  
15 documents from her.

16 THE COURT: What documents does she have that Mr.  
17 Sherak doesn't have?

18 DEFT. JOHNSON: Well, she might -- I don't know if  
19 Mr. Sherak has all the communication he had with Angela  
20 Clemmons, okay, and it's going to be important for me to --  
21 because, you know, I'm really playing in the dark here, okay?

22 THE COURT: I understand that.

23 DEFT. JOHNSON: So, I need as much light as I can  
24 shine on the facts so I can properly question Mr. Sherak. You  
25 know, I don't know who's telling the truth, who's lying to me

1 at this point, and it's just relevant, I think, to have the  
2 evidence to address, like I say, timelines, communications.  
3 There might be impeachment evidence, you know, of my own  
4 witness, I don't know, because I don't know who's lying to me  
5 yet. I have good reason to believe who's lying to me and  
6 who's not, but, you know, we are going to have to get to the  
7 bottom of it.

8 THE COURT: Postmaster General.

9 DEFT. JOHNSON: The Postmaster General is irrelevant  
10 to the particular type of situation that I am in. I tried to  
11 sue the Postmaster General not through this -- not through  
12 these processes, but in the actual civil suit that was brought  
13 before Judge Rosenstengel, and under that particular situation  
14 I couldn't even get the litigation to the Court. I'm so  
15 bogged down with censorship at this particular unit that I  
16 didn't even have access to the Courts. And, so, I have  
17 information related to that with documents that have never  
18 been able to go out in the mail. I sent an actual copy of the  
19 complaint. You can't start a civil proceeding without a  
20 complaint. So, the complaint never made it out of the unit.  
21 I tried to get an amended complaint out of the unit and they  
22 wouldn't mail it. So, I couldn't even -- I fully paid for the  
23 litigation, was never able to litigate it, and these are the  
24 type of practices and patterns that I suffer under with Hill  
25 and True, which will speak towards the obstruction that I am

1 up against, will speak towards their pattern and practice. It  
2 will be impeachable for the credibility of his witnesses. And  
3 these are the type of things that -- these particular  
4 relationships between the Postmaster General. Because the way  
5 the mail is handled in this particular unit is impossible for  
6 it to be lawful.

7 THE COURT: Okay. And I assume that, Mr. Quinley,  
8 both True and Hill will be testifying?

9 MR. QUINLEY: Yes, they have already testified under  
10 oath in the bankruptcy proceeding.

11 THE COURT: Okay.

12 MR. QUINLEY: So, we are making arrangements to have  
13 copies. Mr. Johnson was present, well, by telephone and  
14 cross-examined them. But, we are trying to arrange to have  
15 copies of those recorded testimonies provided to Mr. Johnson.

16 THE COURT: So, they will be here?

17 MR. QUINLEY: Sure.

18 THE COURT: Okay. Anybody else?

19 DEFT. JOHNSON: No. I mean, there were a couple of  
20 other subpoenas I wanted to produce, but I chose not to do  
21 them yet, because there's still some information that I am  
22 seeking.

23 THE COURT: Well, this trial is set for, you know,  
24 ten days. So, if we are going to issue subpoenas, you know --  
25 Of course, we will consider and I'm going to hear the

1 arguments of Mr. Quinley in a minute, but we may have to put  
2 this trial off.

3 DEFT. JOHNSON: I understand. You know, if I don't  
4 have a fair shot at discovery, you know, this is --

5 THE COURT: Well, I assume the Government has turned  
6 over discovery to you, have you not, Mr. Quinley?

7 MR. QUINLEY: That's correct, Your Honor. It's  
8 extensive.

9 DEFT. JOHNSON: It's not all that extensive. But,  
10 you know, these particular subpoenas are really essential for  
11 laying a foundation of the defense. And the defense is not  
12 complicated, you know. Their accusations are really simple:  
13 I'm a delusional fraud, okay? Well, there's a lot of facts  
14 out there where I'm not the delusional fraud and, you know,  
15 just an example, I was trying to bring up in the habeas  
16 proceeding it took me 13 months -- I mean, 18 months from the  
17 time I created that document to get it filed. That's how much  
18 obstruction that was involved just in the habeas. And I  
19 didn't even prepare the habeas until the judgment was entered.  
20 So, I am making my procedures and governing my lifestyle and  
21 facts based on the judgment. So, the judgment is critical and  
22 central to the entire thing. And whether the judgment exists  
23 or not is not really going to be the final question.

24 THE COURT: Well, what is the final question?

25 DEFT. JOHNSON: The final question is going to be if

1 the judgment doesn't exist, did I have good reason to believe  
2 it exists and was I led to believe it exists under the  
3 circumstances that I was in and, therefore, I don't have the  
4 mens rea. So, those are the two defenses, and they are  
5 specific enough to be addressed, but I have got to get the  
6 facts. You know, if you just keep me in this box, okay, and  
7 railroad me through processes without being able to get these  
8 particular facts -- And I would think the Government has  
9 better access to getting them than I do. But, if they are not  
10 going to get them, I need to get them.

11 MR. QUINLEY: Your Honor, I think the Defendant just  
12 hit the nail on the head. The whole exercise that he's  
13 undertaking is to try to defeat proof of his mens rea.

14 Now, Your Honor, another Court was confronted,  
15 different circumstances, it was his habeas petition, but after  
16 dismissing his habeas petition Judge Herndon had a Motion for  
17 Reconsideration, which basically, just like the habeas with  
18 Exhibit A, the World Court judgment that's not there,  
19 Mr. Johnson persisted. And Judge Herndon wrote in his denial  
20 of the Motion for Reconsideration, "The Court also notes that  
21 Petitioner's claim that the illegality of his confinement was  
22 litigated by the parties is absurd."

23 And, that's the bottom line here. No matter how many  
24 details, no matter how many claims of *I have sent this person*  
25 *to get it and that person to get it*, it's all a cloud. And



1 the underlying allegations and the details of those  
2 allegations are absurd and, frankly, Your Honor, I think a  
3 Court of this district or any district in the United States is  
4 entitled basically upon its knowledge of the legal system to  
5 conclude that these claims are absurd.

6 And Mr. Johnson is not going to be barred in any way  
7 from trying to convince a jury that he's a true believer in  
8 the creations of his own imagination and to try to show all  
9 these connections, and in the end I think the Government will  
10 be able to persuade the jury that he's a liar. He's not  
11 delusional. He has a purpose and his purpose is to be so  
12 difficult that he will get out of the CMU and maybe even out  
13 of prison. He's not going to succeed in that effort and he  
14 may be delusional in thinking that that's an achievable goal,  
15 but all of his actions are consistent with that goal. None of  
16 his actions are consistent in any believable fashion in  
17 creating a \$20 billion debt on the part of Bureau of Prisons  
18 officials, nor a \$1 billion source of income by his voluntary  
19 discharge of \$1 billion of that debt and filing 1099s on, was  
20 it, 30 or -- at least a dozen Bureau of Prisons through an  
21 intermediary.

22 This is a campaign of harassment, Your Honor.

23 THE COURT: Well, apart from that, what's your  
24 response to, you know, these other people and entities that he  
25 wants to subpoena?

1 MR. QUINLEY: Your Honor, I think any trial subpoena  
2 that the Defendant requests should be issued so that these  
3 people can appear in court and testify. I think that the --

4 THE COURT: There has to be a basis for issuing those  
5 subpoenas.

6 MR. QUINLEY: Well, 17(c) subpoenas is for the  
7 production of documents in advance of trial. He has the right  
8 to subpoena witnesses for his defense, and the Government's  
9 not going to raise any objection to that. And if those people  
10 can be served and if they appear in court -- And, you know,  
11 now there will be a question of the relevancy of their  
12 testimony. But, the Government is not seeking to bar  
13 Mr. Johnson from subpoenaing witnesses. This is the 17(c)  
14 process which provides by Court order and by permission of the  
15 Court with the early production of documents. And that's why  
16 we didn't oppose the subpoena to Nell Leffel. He says that  
17 she doesn't have the documents, but in his subpoena he asks  
18 for them from Nell Leffel.

19 THE COURT: From who?

20 MR. QUINLEY: His mother.

21 THE COURT: Yeah, his mother. All right.

22 MR. QUINLEY: But, at any rate, he can subpoena all  
23 of these witnesses, and if they can be served and if they can  
24 appear, then the Court can then consider whether or not they  
25 would be permitted to testify based upon the Rules of Evidence

1 and relevancy. And, frankly, Your Honor, as he plainly  
2 pointed out to the Court, it all goes to his mens rea and his  
3 defense that even if it's not real, he believes that all of  
4 this is real and, therefore, he's not guilty of fraud. So, we  
5 will litigate that.

6 But, I'm just saying that the Court doesn't need to  
7 engage Mr. Johnson in what is absurd and is a fantasy in  
8 reality, and that's why I think that, you know, you can go to  
9 YouTube and listen to Judge Donoghue lecture at a school in  
10 Virginia and at other forums. She's a very distinguished  
11 member, first female member of the International Court of  
12 Justice. I don't think the Court needs to harass her, either,  
13 but she's subject to subpoena, I suppose, like anyone else.

14 DEFT. JOHNSON: One of the things, Your Honor, is  
15 that you know, the Government seems to think if they can just  
16 say absurd enough, enough, enough in different places that  
17 it's a reality. It's not even close. And bringing up Judge  
18 Donoghue, documents would be a lot more responsible handling  
19 of this particular person than trying to depose her or bring  
20 her in because of her responsibilities and the very person  
21 that she is to drag her out into a criminal case. I am trying  
22 to be diligent in using, you know, court resources in the most  
23 advantageous fashion. I think it would be really  
24 irresponsible if she has documents that would prove and speak  
25 to the issue to not go for the documents and then just demand

1 that she come here for appearance.

2 THE COURT: Who's this?

3 DEFT. JOHNSON: That's Judge Donoghue. I think --

4 THE COURT: She's not on your list, though.

5 DEFT. JOHNSON: She's on my list under the  
6 International Court of Justice as far as subpoenas go.

7 THE COURT: Okay.

8 DEFT. JOHNSON: And, like I said, I think it would be  
9 a lot more responsible just to attempt documents that can  
10 speak to the absurdity that seems to be trumpeted all over the  
11 place. And, you know, that particular order that he  
12 references is not final anyway in Judge Herndon's particular  
13 situation. Mr. Herndon was definitely trying to address a  
14 habeas, but everybody's presuming -- Judge Herndon, the  
15 prosecution, Judge Rosenstengel, and even the Judge in the  
16 bankruptcy, everybody wants to presume I'm an idiot and that I  
17 am lying. That's fine, but there's facts out there that can  
18 speak directly to it and, you know, now the fun is over.

19 You guys brought a criminal case. You have already  
20 gone and lied to the Grand Jury as far as I'm concerned. So,  
21 this is getting serious now, and I think, you know, it's time  
22 to get to the facts and get the facts on the table, because  
23 absurd, delusional, fanciful, those are all nice words to  
24 throw around, but there are facts out there that speak to the  
25 reality of the situation and they need to be addressed, I

1 think, in the best and most advantageous fashion of getting  
2 the documents before trial and then from there, in all  
3 fairness, where access to these proceedings --

4 THE COURT: Well, procedurally the documents don't  
5 exist, though.

6 DEFT. JOHNSON: That's the assumption. How can you  
7 prove that? You guys are walking around trying to prove the  
8 negative. I say they exist and I'm trying to prove the  
9 positive. Like I say, if you want to make the accusation they  
10 don't exist then call up --

11 THE COURT: I'm not saying they don't exist. I'm  
12 saying the Government has a duty to disclose discovery to  
13 you --

14 DEFT. JOHNSON: Yeah, right.

15 THE COURT: -- and I'm assuming -- I don't know  
16 whether you have inquired as to whether these documents exist  
17 and he's claiming they exist or not. But, if you have them,  
18 you have to disclose them.

19 DEFT. JOHNSON: Well, obviously they haven't done  
20 that.

21 MR. QUINLEY: We have nothing, Your Honor.

22 THE COURT: Okay.

23 DEFT. JOHNSON: They haven't done that and I don't  
24 think they have even done due diligence to pursue it, because  
25 anybody who's looked at my e-mails, my communications and my

1 -- and the disciplinary hearing events and the activities  
2 that's been going on in the CMU knows that Stephen Sherak is  
3 central to this particular thing, and they haven't tried to  
4 reach him.

5 THE COURT: Okay. We are going to --

6 DEFT. JOHNSON: Those are -- I'm just saying --

7 THE COURT: I'm prepared to tell you right now that  
8 we are going to -- I'm going to authorize the issuance of  
9 subpoenas to Faith and Stephen Sherak.

10 DEFT. JOHNSON: Okay.

11 THE COURT: I assume we know where they are.

12 Now, this International Court -- Who's the  
13 International Court Judge you want subpoenaed?

14 DEFT. JOHNSON: Judge Joan E. Donoghue.

15 THE COURT: Joan Donoghue?

16 DEFT. JOHNSON: Yes. And you should have a bio  
17 available for you.

18 MR. QUINLEY: It's actually Ruth. Oh, it is Joan,  
19 I'm sorry. Excuse me.

20 THE COURT: So, if we subpoena her and tell her to  
21 bring any and all documents, that would solve your problem,  
22 right?

23 DEFT. JOHNSON: Absolutely. I do want to just -- You  
24 know, I'm trying to be considerate of Judge Donoghue.

25 THE COURT: Well, I'm trying to be considerate of

1 your defense.

2 DEFT. JOHNSON: I agree. And the documents would  
3 resolve the issues if they exist, correct.

4 THE COURT: It would be easier to subpoena her and  
5 tell her to bring all relevant documents.

6 DEFT. JOHNSON: Okay.

7 THE COURT: If they exist she will bring them. If  
8 they don't, she will come and say they don't exist. So, let's  
9 just get her here.

10 DEFT. JOHNSON: Okay, that's fine.

11 THE COURT: Let's just get her here.

12 DEFT. JOHNSON: Okay. I'm fine with that. I'm  
13 just --

14 THE COURT: Now, you understand there may be issues  
15 -- subpoenas that are issued that there will be Motions to  
16 Quash those subpoenas, and we will to have hearings on those,  
17 and then in a Motion to Quash she may or may not say that,  
18 "Hey, I don't know anything about this." But, you know, I  
19 will issue her a subpoena.

20 DEFT. JOHNSON: Okay.

21 THE COURT: And with a subpoena duces tecum, I mean,  
22 she has to bring documents related to this judgment that you  
23 have, say you have.

24 DEFT. JOHNSON: Okay, thank you.

25 THE COURT: Now, do we really need Sheriff Rich

1 Stevenson and the FBI agent?

2 DEFT. JOHNSON: Sir, that was just for -- that was  
3 just for documents. I don't need Mr. Stevenson to testify for  
4 anything. And Jeschke is probably going to be on their  
5 witness list, so --

6 THE COURT: How long is this trial going to take,  
7 Mr. Quinley, from the Government's standpoint?

8 MR. QUINLEY: Really, it would be hard to imagine how  
9 it would go longer than two days, but we won't be in control  
10 of cross-examination, of course.

11 THE COURT: Right.

12 MR. QUINLEY: But, frankly, it really could be  
13 presented in one afternoon. I anticipate there may be issues  
14 raised that could extend it into two days. And we are ready  
15 to proceed, Your Honor.

16 THE COURT: What happens if -- It's going to be hard  
17 to get people here by the 20th.

18 DEFT. JOHNSON: I understand.

19 THE COURT: I don't know how fast we can issue these  
20 subpoenas. I know, Mr. Quinley, you have another assignment  
21 you have to go to at some point in time in the fall.

22 MR. QUINLEY: Yes, Your Honor, but the Government  
23 believes that it can be tried a week from Monday. I believe  
24 an attempt could be made, hopefully successful, to serve in  
25 person each one of these individuals. They would then be



1 flown at Government expense to the trial. If there's a  
2 failure to obtain service or, as the Court pointed out, if the  
3 person subpoenaed themselves attempts to quash the subpoena,  
4 then that would be a bridge we would have to cross.

5 THE COURT: Right.

6 MR. QUINLEY: But, otherwise we could get personal  
7 service on the individuals with documents, of course, subpoena  
8 duces tecum that the Court authorizes. And, like I say, a  
9 trial subpoena to testify, I think it's almost the Defendant's  
10 right to summon people to court for his defense. We would get  
11 them served and have them here on Monday, the 24th of  
12 September.

13 THE COURT: Okay. From what I am hearing,  
14 Mr. Johnson, I don't know the relevance of Elaine Duke being  
15 subpoenaed here.

16 DEFT. JOHNSON: Okay. Again, I will go over it real  
17 quickly. The relevance is that I don't need her as a witness,  
18 okay? I just want to confirm that she sent somebody up to the  
19 proceedings. I'm just trying to violate the proceedings. The  
20 proceedings are probably going to be first spoken of by  
21 Stephen Sherak. I would love to get Jackie Sherak, but I  
22 don't know how to obtain her at the present time without  
23 somebody helping me on due diligence to see if she would be  
24 available, because she set up the escrow accounts, she set up  
25 the hearing in the World Court, she was the one that worked

1 directly with Elliot Weisner.

2 THE COURT: Well, wouldn't Stephen Sherak have that  
3 kind of information?

4 DEFT. JOHNSON: He would have a lot of that  
5 information, but Jackie did most of this while he was  
6 incarcerated.

7 THE COURT: Who's Jackie?

8 DEFT. JOHNSON: Jackie is his sister, Faith's  
9 daughter.

10 THE COURT: She's not on your list.

11 DEFT. JOHNSON: I know she's not. She's one of the  
12 ones I would have added, but I don't have any contact  
13 information for her. All I have is her work. She's at Abu  
14 Dhabi Commercial Bank in United Emirates. So, that's the only  
15 place I can --

16 THE COURT: Well, if we can't find her, we can't find  
17 her.

18 DEFT. JOHNSON: Yeah, I understand. If somebody  
19 could speak with Faith or Stephen Sherak --

20 THE COURT: We are going to subpoena Faith and  
21 Stephen Sherak.

22 DEFT. JOHNSON: I understand. But, if somebody could  
23 contact them for information about Jackie, maybe Jackie could  
24 be reached and Jackie could become a witness, because Jackie  
25 could speak to things that Faith and Stephen could not speak

1 to. This is part of the due diligence problem I am having  
2 from my facility. I don't have the ability to contact anybody  
3 that could even speak with Stephen or Faith Sherak.

4 THE COURT: I don't see any need that Elaine Duke  
5 needs to be subpoenaed. I think any evidence that she may  
6 have could be obtained through other witnesses.

7 The Library of Congress, I don't know what you are  
8 seeking there.

9 DEFT. JOHNSON: Kathy Hill --

10 THE COURT: If you are seeking a copy of the  
11 judgment, you are saying Stephen Sherak has a copy.

12 DEFT. JOHNSON: I'm seeking a copy of the treaty that  
13 the judgment was issued on. Kathy Hill supposedly has a copy  
14 of it.

15 THE COURT: Hold on a second. You are giving him --  
16 Didn't he have somebody that looked into that and said it  
17 doesn't exist?

18 MR. QUINLEY: Right, the Library of Congress wrote  
19 back and in a very detailed recitation said everything they  
20 did to try to locate the treaty as identified by Mr. Johnson  
21 and that taking all the steps that they took they can locate  
22 no such treaty.

23 THE COURT: Have you given that information to  
24 Mr. Johnson?

25 MR. QUINLEY: We will have a copy it and we will

1 provide it. Apparently we can only provide things at Marion  
2 prison through a particular official there, otherwise we would  
3 hand it to him today directly.

4 THE COURT: Can he take a look at it today and then  
5 give it back to you and submit it to him --

6 MR. QUINLEY: Yeah, Brian, could you go print that  
7 off?

8 THE COURT: Yeah, before he goes back.

9 MR. QUINLEY: My e-mail, okay?

10 THE COURT: So, I don't see any need -- There's been  
11 an inquiry by this Reverend, I guess.

12 AGENT BIGHAM: Rudy Davis.

13 MR. QUINLEY: Rudy Davis. Reverend Rudy Davis on  
14 behalf of Mr. Johnson forwarded his request to the Library of  
15 Congress, and the Library of Congress responded.

16 THE COURT: Okay. So with the International Court we  
17 are going to subpoena this Joan Donoghue.

18 This Michael Puckett. Again, what was his --

19 DEFT. JOHNSON: He claimed to have a copy of the  
20 judgment. I don't know if the copy that he had was the copy  
21 mailed out.

22 THE COURT: If you know where he is we will subpoena  
23 him.

24 DEFT. JOHNSON: He's just at the regional office.

25 THE COURT: Okay. Faith and Stephen Sherak will be

1 subpoenaed. Elliot Weisner, who was an attorney employed by  
2 Jackie Sherak --

3 DEFT. JOHNSON: Correct.

4 THE COURT: Okay. What's his relevance?

5 DEFT. JOHNSON: He did the due diligence on the  
6 administrative procedures and the treaty. He has some  
7 documents related to the proceedings in front of the World  
8 Court. He would know names and dates and information related  
9 to the proceedings.

10 THE COURT: Would he have a copy of the judgment?

11 DEFT. JOHNSON: He won't have a copy of the judgment,  
12 that I'm aware of. He might. He would know that the judgment  
13 exists. He would know -- He would have documents related to  
14 the --

15 THE COURT: Where is he located?

16 DEFT. JOHNSON: He's in New Jersey, I believe.

17 THE COURT: Where?

18 DEFT. JOHNSON: New Jersey.

19 THE COURT: New Jersey. Okay. Let's try to subpoena  
20 him.

21 I don't see any need for the Secretary of State,  
22 Florida Motor, New Jersey, or the Deutsche Bank, Angela  
23 Clemmons.

24 DEFT. JOHNSON: Deutsche Bank, you don't believe?

25 THE COURT: No, you just can't -- you say the -- You

1 are talking about you believe that the Deutsche Bank set aside  
2 so many billions of dollars in an escrow account for you,  
3 right?

4 DEFT. JOHNSON: \$700,070,000 was deposited in an  
5 escrow account to purchase this particular judgment in  
6 question.

7 THE COURT: Do you know who?

8 DEFT. JOHNSON: Heiko Lotz.

9 THE COURT: Who?

10 DEFT. JOHNSON: Heiko Lotz was the employee.

11 THE COURT: Where is that person?

12 DEFT. JOHNSON: I don't know.

13 THE COURT: This is you -- You have --

14 DEFT. JOHNSON: I know you keep trying to put the due  
15 diligence on me. I'm trapped in a box with no phone calls,  
16 nothing.

17 THE COURT: I can't help that.

18 DEFT. JOHNSON: I know, but I believe the bank should  
19 be requested for documents, because it's hard to obviously get  
20 a bank to come to the hearing.

21 THE COURT: Who else would know that? How do you  
22 know that? From one of your other witnesses?

23 DEFT. JOHNSON: Stephen and Jackie would know that.

24 THE COURT: Okay. They can testify to that, then,  
25 all right? But I don't see any need to subpoena the Deutsche

1 Bank.

2 Angela Clemmons, again, had direct contact with  
3 Stephen Sherak. He could testify as to timeline.

4 DEFT. JOHNSON: That's fine.

5 THE COURT: I'm not going to subpoena her.  
6 Postmaster General?

7 DEFT. JOHNSON: Not relevant for trial, Your Honor.  
8 The documents would have been relevant, but --

9 THE COURT: Right; not relevant. And, of course,  
10 William True and Kathy. So, if we can get those people here  
11 by the 24th, get them subpoenaed, we will have a trial.

12 DEFT. JOHNSON: Ms. Hill is supposed to have a copy  
13 of the treaty in question --

14 THE COURT: Okay.

15 DEFT. JOHNSON: -- from Senator Cory Booker.

16 THE COURT: Okay. If she has it she will bring it.

17 DEFT. JOHNSON: Okay.

18 MR. QUINLEY: Your Honor, it may help the efficiency  
19 of the proceeding if we are all in agreement as to, even  
20 though unexecuted, unfiled, whether or not this is -- with the  
21 number handwritten on the top of it, whether or not that is,  
22 in fact, the -- I say *the instrument* -- according to  
23 Mr. Johnson ratified and made to have force of law by the  
24 International Courts of Justice.

25 DEFT. JOHNSON: Correct.

1 THE COURT: So, it's the nine pages.

2 DEFT. JOHNSON: Nine pages.

3 MR. QUINLEY: It's the nine-page document. Do you  
4 have any signed copy of it?

5 DEFT. JOHNSON: With my signature?

6 MR. QUINLEY: With your signature.

7 DEFT. JOHNSON: I may.

8 MR. QUINLEY: And, Your Honor, in the interest of  
9 reciprocal discovery, I would ask that the Defendant produce  
10 the one that he signed.

11 DEFT. JOHNSON: If I don't, I would be glad to  
12 execute one for you.

13 THE COURT: What?

14 DEFT. JOHNSON: I said if I don't have one signed I  
15 would be glad to execute one for you.

16 MR. QUINLEY: All the ones that have been sent all  
17 over are unsigned.

18 THE COURT: Unsigned?

19 MR. QUINLEY: Yeah, and he just offered to sign it  
20 now.

21 THE COURT: Okay.

22 MR. QUINLEY: So, yeah. But I was asking if there's  
23 a historical --

24 THE COURT: Yeah, is there a historical signed  
25 document?



1           DEFT. JOHNSON: I will check my records, because my  
2 records have been trashed many times. If I have it I will be  
3 glad to bring it, you know.

4           THE COURT: Okay.

5           DEFT. JOHNSON: No problem.

6           THE COURT: Okay. Anything else?

7           MR. QUINLEY: Now, the marshals will be serving the  
8 subpoenas?

9           THE COURT: Yes.

10          MR. QUINLEY: If they can keep the parties apprised  
11 of their progress.

12          THE COURT: We will need to get addresses and all  
13 that stuff.

14          DEFT. JOHNSON: Mr. Sherak is in custody at least as  
15 a supervised release. I don't know if a separate habeas needs  
16 to be created for him, but --

17          MR. QUINLEY: So, not in custody, but under  
18 supervision?

19          DEFT. JOHNSON: Yes.

20          MR. QUINLEY: Okay. So that will make it even  
21 easier.

22          THE COURT: Yeah, that will make it easier.

23          DEFT. JOHNSON: In Philadelphia. I'm sure you guys  
24 will find him.

25          MR. QUINLEY: I won't be looking for him, but the

1 marshals will.

2 THE COURT: Okay. Anything else? We will start on  
3 the 24th.

4 MR. QUINLEY: Your Honor, when would you like jury  
5 instructions to be submitted? By Friday?

6 THE COURT: Yes.

7 MR. QUINLEY: All right. We will submit those  
8 directly to the Court and we will make arrangements to deliver  
9 a set to Mr. Johnson.

10 THE COURT: Okay.

11 DEFT. JOHNSON: Am I going to be getting the informal  
12 discovery request?

13 MR. QUINLEY: There are a couple of other things that  
14 may or may not be pending before the Court, Your Honor.  
15 Mr. Johnson filed a request for mental evaluation.

16 THE COURT: Oh, yes; yeah. The Court is going to  
17 deny that. You know, just from this -- You want to argue  
18 Mr. Quinley's mental state?

19 DEFT. JOHNSON: Well, look, if you want to dismiss  
20 it, you dismissed it. My position is this is -- this absurd,  
21 fanciful, lack of reality is a concern, but, you know, what  
22 are we going to do.

23 THE COURT: Court's going to deny that.

24 MR. QUINLEY: In addition, Mr. Johnson referred to  
25 informal discovery. He's conferred directly by letter with

1 Counsel. I have not responded, but some of the communication  
2 was a definition for money, a definition for sovereign  
3 citizen, a definition -- There were a number of requests for  
4 me to define terms. I'm not responding to it. If Mr. Johnson  
5 wants to make a motion to the Court, I would respond to the  
6 Court.

7           There may be other things like that out there. I  
8 think that's what he labeled informal discovery. But, as far  
9 as the actual discovery, we have provided everything relevant  
10 to the matter in the possession of the Government and,  
11 frankly, anything that Mr. Johnson identified as relevant that  
12 we did not originally have; for instance, the file -- the case  
13 file of FBI Agent Steven Jeschke on the Sherak matter where  
14 documents of Mr. Johnson's were seized from Mr. Sherak upon  
15 his release from prison. And Mr. Sherak did not cooperate at  
16 that time. No, we haven't gone back to Mr. Sherak, but Mr.  
17 Sherak was not cooperative with Agent Jeschke. But, at any  
18 rate, all the documents from that have been provided.

19           In addition, Your Honor, the Defendant by his  
20 communications has had a number of YouTubes posted by Reverend  
21 Rudy Davis and some others, and correspondence of his read --  
22 We are attempting -- Actually, now we have the CDs of those  
23 YouTubes that we have located and we are going to be  
24 delivering those to the prison, as well. In one of those  
25 YouTubes was the response of the Library of Congress.

1 THE COURT: Okay.

2 MR. QUINLEY: So, we will also get a copy of that  
3 right now, and before -- with permission of security personnel  
4 let Mr. Johnson read it here before he leaves.

5 THE COURT: Before they take him back.

6 MR. QUINLEY: So, unless Mr. Johnson -- Yeah, he had  
7 the additional matter of informal discovery. I may have  
8 forgotten or overlooked something, so --

9 DEFT. JOHNSON: I'll make it simple. I asked for  
10 court records for the habeas proceeding, the bankruptcy  
11 proceedings, and those were not part of the bill of  
12 particulars. They were just informal request for court  
13 records.

14 MR. QUINLEY: You know, those were proceedings that  
15 Mr. Johnson initiated that were -- that are now closed, and I  
16 assume Mr. Johnson has all of the own records in his own  
17 proceeding. If not, we can print out -- I printed out the  
18 memorandum, the two memorandum and orders, and I printed out a  
19 docket if he wanted to be more specific as to more particular  
20 things, but I imagine they are thin files. He's also asked  
21 that they be certified copies. The bankruptcy records --  
22 Again, his own proceeding, I'm assuming he has the records.  
23 We are not going to require certification for foundation.

24 DEFT. JOHNSON: That's fine.

25 MR. QUINLEY: We are just going to provide -- You

1 know, like I say, I think in this case he already has it. As  
2 a courtesy, if it's necessary, we can print it out.

3 DEFT. JOHNSON: That's an assumption again. I asked  
4 for it, because I don't have complete records in regards to  
5 those proceedings. Documents get stolen from me all the time  
6 at this facility. I was put in the SHU as part of retaliation  
7 for the bankruptcy filings. I had no access to copy machines.

8 THE COURT: We will get those documents. We will  
9 print them out for you.

10 DEFT. JOHNSON: Okay.

11 MR. QUINLEY: We can print out the two proceedings.  
12 And the bankruptcy proceedings, each of the two files which  
13 are nearly identical, are very --

14 DEFT. JOHNSON: I asked for one.

15 MR. QUINLEY: You only need one?

16 DEFT. JOHNSON: The second one would be redundant.

17 MR. QUINLEY: It is redundant. Okay. So, we will  
18 copy Mr. True's.

19 DEFT. JOHNSON: All right.

20 MR. QUINLEY: Okay. We will do that, Your Honor.

21 THE COURT: Okay. That will be all.

22 THE CLERK: All rise.

23 Court's adjourned.  
24  
25

\* \* \* \* \*

I certify that the foregoing is a correct transcript from the  
record of proceedings in the above-entitled matter.

/S/ Stephanie K. Rennegarbe  
Certified Shorthand Reporter

09/24/2018